

# Change of Use and Conversion of Former Tram Depot Into a Transport Museum

## KEY INFORMATION

**Ward** Maryfield

**Address**  
Former Maryfield Tram Depot  
25A Forfar Road

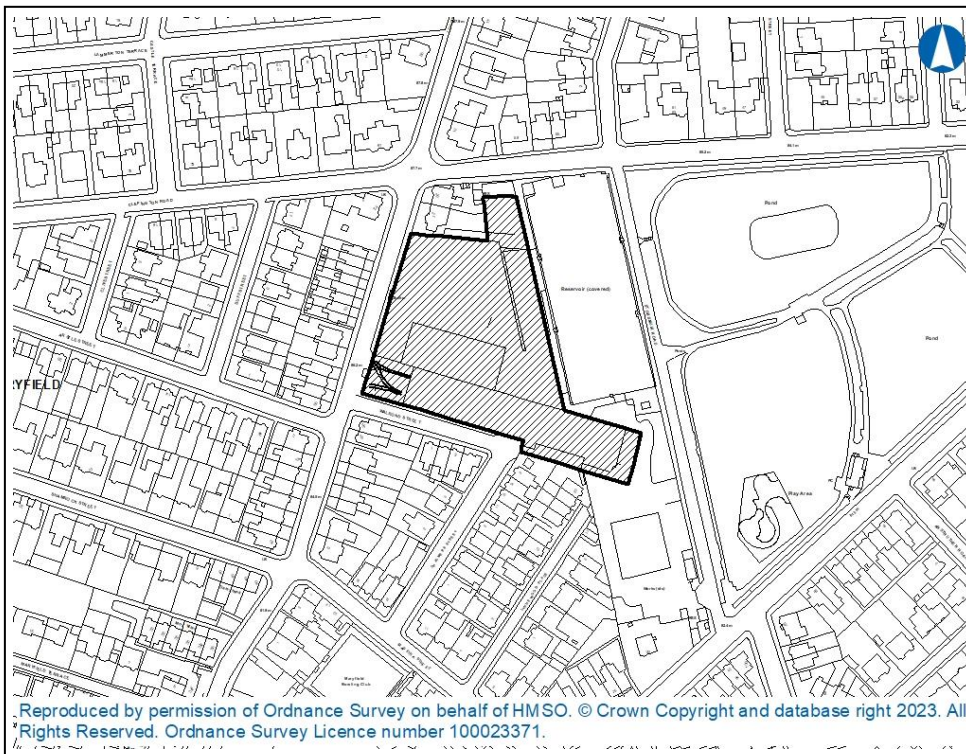
**Applicant**  
Dundee Museum of Transport  
Unit 10 Market Mews  
Dundee

**Agent**  
Andrew Black Design

**Registered** 5 July 2022

**Report by Head of Planning  
& Economic Development**

**Contact:** Sharon Dorward



## SUMMARY OF REPORT

- Planning permission is sought for the change of use and conversion of the former Maryfield Tram Depot into a home for the Dundee Museum of Transport.
- The tram depot building is located in Maryfield Conservation Area. It is a category B listed building and is also on the Buildings at Risk Register.
- The application is in accordance with the Development Plan.
- The statutory neighbour notification process was undertaken and the application advertised in the local press. In total, 8 letters of objection were received to the proposal, and 4 letters of support.
- In accordance with Dundee City Council's scheme of delegation, this application is to be determined by the Planning Committee as 6 or more valid written objections have been received and the recommendation is for approval.
- More details can be found at: <https://idoxwam.dundee.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=REJZ1UGCKLN00>

## RECOMMENDATION

The proposal is in accordance with the Development Plan. There are no material considerations of sufficient weight to justify refusal of planning permission. It is therefore recommended that planning permission be **APPROVED** subject to conditions.

---

## 1 DESCRIPTION OF PROPOSAL

---

- 1.1 Planning permission is sought for the conversion of the former Maryfield Tram Depot into a new location for the Dundee Museum of Transport. Dundee Museum of Transport was established as a charitable organisation in 2010. The museum is currently located at Market Mews, which opened in 2014, as a temporary measure. Market Mews has become too small for the collection, and was never intended as a permanent home for the museum. The Maryfield Tram Depot site was acquired in 2015.
- 1.2 It is proposed to restore the vacant tram depot, to create museum exhibition space with displays, and café facilities, which would also form a community hub, available as a shared use along with the grounds of the museum. The existing cobbled forecourt would be retained for external display and the open space to the north of the tram shed building, adjacent to Stobsmuir Reservoir, is shown on the submitted plans as an external events and community space.
- 1.3 The development proposals include a new vehicular and pedestrian access from the A929 Forfar Road. Parking for 66 cars, including three disabled access spaces and two with electric vehicle charging points is proposed. It is also proposed to form a coach lay by/drop off bay parallel with Forfar Road to the south of the car park entrance.
- 1.4 A total of six trees would be felled from the western site boundary, in order to create the access to the car park. An additional four would be crown lifted. It is proposed to plant ten new trees to the eastern site boundary.
- 1.5 The applicant has submitted a design statement, conservation management plan, tree survey report, transport statement and a site investigation report along with plans and photographs, in support of the application.

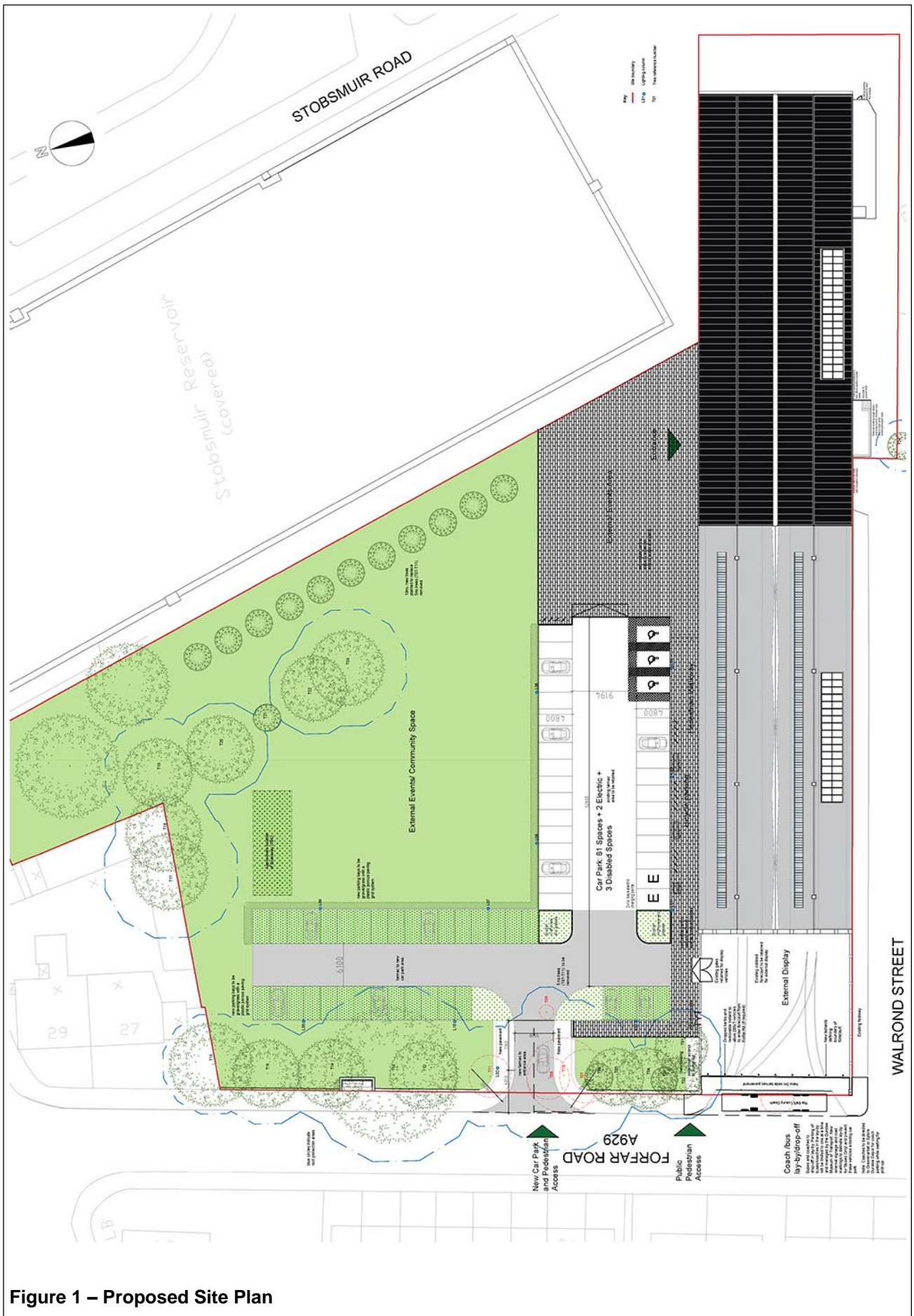
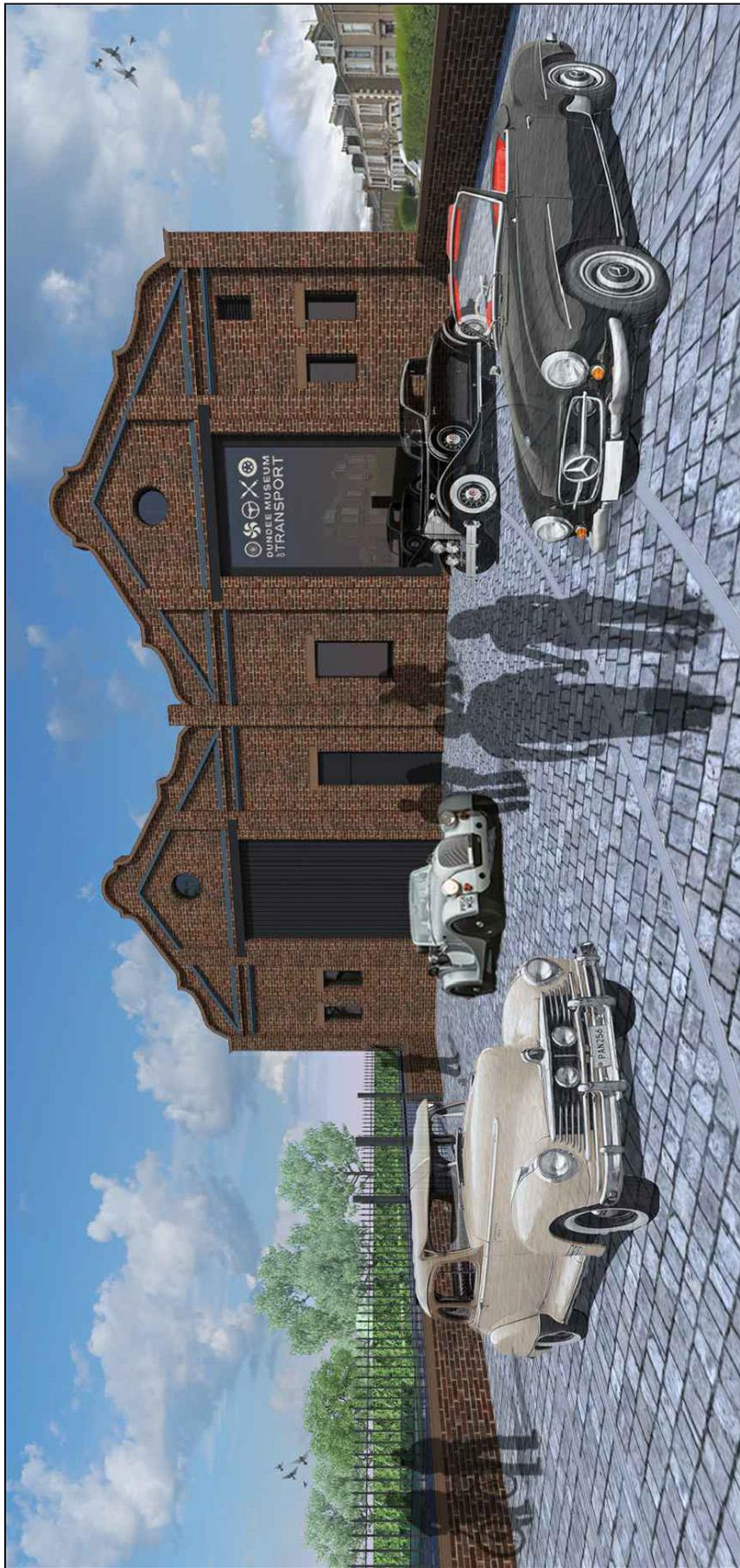


Figure 1 – Proposed Site Plan



01 View From Forfar Road  
NTS @ A3

Figure 2 – Proposed West Gable Elevation

---

## 2 SITE DESCRIPTION

---

- 2.1 The application site relates to the former Maryfield Tram Depot, which is located within Maryfield Conservation Area, on the corner of Forfar Road and Walrond Street. The site includes an area of open space to the north of the building. The total site area is 10,922 square metres.
- 2.2 The former tram depot is a category B listed building and is on the Buildings at Risk Register. The depot is a long brick built former tram shed which dates to 1901. There are matching extensions to the rear which date from 1912 and 1920, and twin gables to the main street frontage. The building has not been used for a number of years and has fallen into disrepair. The building has a footprint of 2,586 square metres.
- 2.3 The wider site includes the cobbled entrance to the tram depot, with track remains. There is an area of hardstanding to the north of the building and open space beyond. Trees line the north and west boundaries. The existing site access is from Forfar Road to the front of the depot, across the existing cobbled area.
- 2.4 Surrounding land uses are residential and open space, Stobsmuir Reservoir is located to the north east of the site. There are disused industrial buildings to the south east of the site.



Figure 3 – Existing View Towards Open Space At The North



Figure 4 – Existing West Gable Elevation

---

## 3 POLICY BACKGROUND

---

3.1 The following plans and policies are considered to be of direct relevance:

### **NATIONAL PLANNING FRAMEWORK 4**

Policy 3: Biodiversity

Policy 6: Forestry, woodland and trees

Policy 7: Historic assets and places

Policy 9: Brownfield, vacant and derelict land and empty buildings

Policy 12: Zero waste

Policy 13: Sustainable transport

Policy 14: Design, quality and place

Policy 22: Flood risk and water management

Policy 23: Health and safety

Policy 25: Community wealth building

Policy 27: City, town and commercial centres

Policy 30: Tourism

### **DUNDEE LOCAL DEVELOPMENT PLAN 2019**

Policy 1: High Quality Design and Placemaking

Policy 2: Public Art Contribution

Policy 7: Tourism and Leisure Developments

Policy 21: Town Centre First Principle

Policy 34: Protected Species

Policy 35: Trees and Urban Woodland

Policy 37: Sustainable Drainage Systems

Policy 39: Environmental Protection

Policy 41: Land Contamination

Policy 44: Waste Management Requirements for Development

Policy 49: Listed Buildings

Policy 51: Development in Conservation Areas

Policy 54: Safe and Sustainable Transport

Policy 56: Parking

### **SCOTTISH PLANNING POLICY, PLANNING ADVICE NOTICES AND CIRCULARS**

Historic Environment Policy for Scotland (2019)

3.2 There are no other plans, policies and non-statutory statements that are considered to be of direct relevance.

---

## 4 SITE HISTORY

---

4.1 Listed building consent application 18/00067/LBC was approved in April 2018 for alterations, repair and the reinstatement of the tram depot.

4.2 Planning application 18/00068/FULL was approved in April 2018 for alterations, repair and the reinstatement of the tram depot.

4.3 Planning application 21/00463/FULL for a change of use to Dundee Museum of Transport was withdrawn in January 2022.

- 4.4 Listed building consent application 21/00467/LBC for alterations to allow the use as Dundee Museum of Transport was withdrawn in January 2022.
- 4.5 PREAPP/001/2020 was submitted for the conversion of Maryfield Tram Depot to the Dundee Museum of Transport.
- 4.6 Listed building consent application 22/00467/LBC for alterations and the conversion of the tram depot to Dundee Museum of Transport is currently under consideration.

---

## 5 PUBLIC PARTICIPATION

---

- 5.1 The statutory neighbour notification procedure has been undertaken and the application advertised in the local press.
- 5.2 Four letters have been received, including from the Stobswell Forum and Dundee Civic Trust, which support the rescue of the listed building and transformation to a cultural attraction with added opportunities.
- 5.3 Eight letters were received objecting to the proposal. The letters of objection raised the following concerns:
- hours of operation and potential detrimental impact on neighbours' amenity;
  - noise nuisance;
  - impact on/loss of trees, and ecological/biodiversity of the site;
  - no boundary treatment details;
  - incorrect boundary lines;
  - unclear plans for proposed community use and landscaping of the open space to the north of the tram depot building;
  - increased traffic, parking and congestion, pollution;
  - privacy/overlooking;
  - adverse effect on listed building, proposed materials; and
  - reduction in house value.
- 5.4 The matters raised in the representations are taken into account in the material considerations section of this report.

---

## 6 CONSULTATIONS

---

- 6.1 **Scottish Water** – has confirmed that there is capacity within networks for the development.
- 6.2 **Head of Environment** – has advised that tree protection measures are put in place as recommended in the tree survey submitted with the application documents.



- 6.3 **Head of Community Safety and Protection** – in respect of noise, has advised that conditions are appended to any planning permission granted to ensure that there is no disturbance to neighbouring properties, and to secure further contaminated land site investigation with any remediation required.
- 6.4 **Head of Sustainable Transport and Roads** – supports the proposal subject to conditions relating to pedestrian safety, sustainable transport and to ensure that construction is undertaken to Dundee City Council standards.

## 7 DETERMINING ISSUES

- 7.1 **Section 25 of the Town and Country Planning Act 1997 as amended provides that an application for planning permission (other than for a national development) shall be determined in accordance with the Development Plan unless material considerations indicate otherwise.**

### THE DEVELOPMENT PLAN

- 7.2 The provisions of the National Planning Framework relevant to the determination of this application are specified in the Policy Background section above.

#### NATIONAL PLANNING FRAMEWORK 4

- 7.3 **Policy 3: Biodiversity** - seeks to protect biodiversity, reverse any biodiversity loss, encourage biodiversity through development and strengthen nature networks.
- 7.4 Part c) requires that proposals will include appropriate measures to conserve, restore, and enhance biodiversity, in accordance with national and local guidance.
- 7.5 Part d) requires that any potential adverse effects on biodiversity through development proposals are minimised through careful planning and design.
- 7.6 A bat survey report and a habitat survey report have been submitted with the application documents. As part of the bat survey, a desk study and a roost assessment and emergence survey have been undertaken during August and September 2022. No signs of bat use were recorded within the building. However, the crevices and gaps present in the fabric of the building were considered to have bat roost potential and two activity surveys were undertaken. No bats were recorded emerging from or entering the building, but bats were recorded foraging, mainly along the tree line to the north west of the site. The data search recorded bat roosts at a distance of 1.5 km from the site. The renovation of the building is therefore unlikely to have any significant detrimental impact on bat populations. The majority of the trees used for foraging would be retained.
- 7.7 An extended phase I habitat survey was carried out in August 2022, including a search for protected mammal species. Of the habitats recorded on site, the mature trees are of the highest ecological value. An active fox earth was discovered within the grassland, with a second entrance 3 metres away. A fox cub has been observed by a local resident indicating that the site may be used for breeding.
- 7.8 Prior to any works to the tram depot or trees, further examination would be undertaken. Should any roosting bats be discovered, a bat licence would be required from NatureScot. Ten new trees are proposed as compensatory planting. No tree works would be undertaken during the bird breeding season and bird boxes are proposed in the remaining trees. An exclusion zone

should be formed prior to any habitat clearance to protect the fox earth, and no external works would be permitted between March and June when dependant cubs could be present.

- 7.9 It is proposed to append a condition to any planning permission granted to ensure that the recommendations of the bat survey and habitat survey reports are applied.
- 7.10 **With the addition of a planning condition, the application would be in accordance with Policy 3 of National Planning Framework 4.**
- 7.11 **Policy 6: Forestry, woodland and trees** - is intended to protect and expand forests, woodland and trees, ensuring that woodland and trees on development sites are sustainably managed.
- 7.12 Part b) states that development proposals will not be supported where they will result in any loss of or damage to ancient woodlands, ancient and veteran trees, have an adverse impact on native woodlands and hedgerows and any protected individual trees of high biodiversity value, fragmenting woodland habitats, or conflict with any remediation or restocking.
- 7.13 A tree survey has been submitted with the application documents which identifies six trees for felling and four trees which require a crown lift. Tree protection systems have been specified in the report which would be installed in accordance with the Tree Protection Plan to protect trees during the development works.
- 7.14 Following the submission of an updated tree survey and protection plan, the Head of Environment considered the survey and protection measures to be acceptable, with planning conditions recommended as detailed within the tree protection plan. An appropriate condition is proposed.
- 7.15 **With the addition of a planning condition, the application would be in accordance with Policy 6 of National Planning Framework 4.**
- 7.16 **Policy 7: Historic Assets and Place** - seeks to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.
- 7.17 Part a) - requires that development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment of the historic asset and place, identifying likely impacts and providing a sound basis for managing change.
- 7.18 Part c) - states that alterations to a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting.
- 7.19 Part d) - states that development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area is preserved or enhanced, relevant considerations include the:
- i architectural and historic character of the area;
  - ii existing density, built form and layout; and
  - iii context and siting, quality of design and suitable materials.
- 7.20 Part e) states that development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area are retained. These features include structures, boundary walls, railings, trees and hedges.

- 7.21 Part m) supports development proposals which sensitively repair and bring historic buildings back into beneficial use which have been identified as being at risk locally or on the Buildings at Risk Register.
- 7.22 The application site is located within Maryfield Conservation Area and relates to a category B listed building which is on the Buildings at Risk Register. The application is accompanied by a Design Statement and Conservation Management Plan. Historic Environment Scotland were consulted as part of a pre-application review and were supportive of the proposals and noted that they have offered Dundee Museum of Transport a Historic Environment Repair Grant totalling £470,000.
- 7.23 The conservation management plan provides details of the maintenance work and each element of the space, internally and externally, has been appraised. It is proposed to create a museum to acquire, store, restore and exhibit local transport history, integrating learning opportunities for people of all ages. The building is in a poor condition and the proposed repair and adaptive re-use would result in a structurally sound heritage asset which would improve the visual amenity of the conservation area. The proposals seek to retain and restore the original building while introducing modest modern elements. The fabric of the building would be refurbished and the west gable would incorporate full height timber doors. The brick walls and slate roof would be repaired and restored sympathetically, the roof would be raised by 1.9 metres to the rear, east section of the building, to incorporate a potential mezzanine level. Historic features would be retained as part of the proposals, including the cobbled forecourt and tram lines.
- 7.24 **The application is in accordance with Policy 7 of National Planning Framework 4.**
- 7.25 **Policy 9: Brownfield, Vacant And Derelict Land And Empty Buildings** - encourages, promotes and facilitates the re-use of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development. Development is directed to the right locations, maximising the use of existing assets and minimising additional land take. The policy supports the regeneration of derelict buildings and spaces to improve wellbeing and transform our places.
- 7.26 Part a) states that development proposals that will result in the sustainable re-use of brownfield land including vacant and derelict land and buildings will be supported.
- 7.27 Part c) requires that where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land can be made safe and suitable for the proposed new use.
- 7.28 Part d) reiterates that development proposals for the re-use of existing buildings will be supported, taking into account their suitability for conversion to other uses; demolition is the least preferred option.
- 7.29 The conversion of the former tram depot into a transport museum is a fitting new and sustainable re-use of this derelict building.
- 7.30 A phase I desk study site investigation was undertaken and a report submitted with the application documents. It is recommended that conditions are appended to any planning permission granted to ensure that further site investigations are undertaken as recommended in line with the phase 1 study, and any remediation if appropriate, are undertaken.
- 7.31 **With the addition of planning conditions, the application would be in accordance with Policy 9 of National Planning Framework 4.**

- 7.32 **Policy 12: Zero Waste** - seeks to encourage, promote and facilitate development that is consistent with the waste hierarchy, to reduce and reuse materials in construction.
- 7.33 Part b) supports development proposals where they reuse existing buildings and infrastructure, minimise demolition and salvage materials for reuse, minimise waste, use recycled and natural materials with minimum reprocessing.
- 7.34 The development proposals would see the reuse of an existing building of high heritage value. The project seeks to use natural materials where possible and retain all original historic features which are salvageable. The proposals include refurbishment of the existing fabric and materials would be set aside for re-use where possible. Existing brick work would be repaired and existing slates set aside for re-use wherever possible. New materials would be natural and conserve the historic features of the building wherever possible.
- 7.35 **The application is in accordance with Policy 12 of National Planning Framework 4.**
- 7.36 **Policy 13: Sustainable Transport** - seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport.
- 7.37 Part b) supports development proposals where it can be demonstrated that the transport requirements generated have been considered in line with sustainable travel and investment. Safe links should be provided to local walking and cycling routes, accessible by public transport, and developments should ensure the provision of EV charging points, cycle storage, safe crossings.
- 7.38 Part c) requires the submission of a transport assessment where a development proposal will generate a significant increase in the number of person trips.
- 7.39 Part f) states that development proposals for significant travel generating uses, or smaller scale developments where it is important to monitor travel patterns resulting from the development, will only be supported where they are accompanied by a Travel Plan, which sets out clear arrangements, monitoring and evaluation.
- 7.40 A Transport Statement has been submitted with the application documents. The application proposes 66 car parking spaces including three accessible spaces and two spaces with EV charging points. It is proposed to form a new layby off Forfar Road to allow buses to drop off visitors to the museum. The application site is located on a local bus route, and proposes facilities for cycle storage. The proposals are considered to be acceptable subject to planning conditions, including the requirement to submit of a Travel Plan within one year of opening and the provision of covered cycle storage.
- 7.41 **With the addition of planning conditions, the application would be in accordance with Policy 13 of National Planning Framework 4.**
- 7.42 **Policy 14: Design, Quality And Place** - seeks to encourage, promote and facilitate well designed development which will result in quality places, spaces and environments.
- 7.43 Part a) requires that development proposals will be designed to improve the quality of an area, regardless of scale.
- 7.44 Part b) states that development proposals will be supported where they are consistent with the six qualities of successful places, which are: healthy; pleasant; connected; distinctive; sustainable; and adaptable.

- 7.45 The application site is located within the Maryfield Conservation Area and relates to a category B listed building that is also on the Buildings At Risk Register. The proposed alterations to the tram depot building would restore the property and ultimately improve the quality of the surrounding built environment, in line with the six qualities of successful places. A planning condition is proposed to seek further landscape details for the area of open space, including any boundary treatments.
- 7.46 **With the addition of a planning condition, the application is in accordance with Policy 14 of National Planning Framework 4.**
- 7.47 **Policy 22: Flood Risk And Water Management** - is intended to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.
- 7.48 Part b) states that small scale extensions and alterations to existing buildings will only be supported where they will not significantly increase flood risk.
- 7.49 Part c) seeks to ensure that development proposals do not increase the risk of surface water flooding, that proposals manage all rain and surface water flooding through SUDS design, without presuming a surface water connection to the combined sewer, and seek to minimise the area of impermeable surface.
- 7.50 Part d) states that development proposals will be supported if they can be connected to the public water mains. If this is not possible then a demonstration is required that drinking water can be sourced from a sustainable water source.
- 7.51 The applicant has submitted a proposed drainage layout with the application documents. The drainage proposal drawing is acknowledged along with the Scottish Water Pre-Development Enquiry response letter. Further information is required including full drainage calculations, evidence of Scottish Water approval to connect, and confirmation of future maintenance responsibilities. It is considered that surface water can be managed through a Sustainable Urban Drainage System and it is recommended that standard conditions are appended to any planning permission to satisfy these aspects.
- 7.52 **With the addition of planning conditions, the application would be in accordance with Policy 22 of National Planning Framework 4.**
- 7.53 **Policy 23: Health and Safety** - is intended to protect people and places from environmental harm, mitigate risks from safety hazards and promote development that improves wellbeing.
- 7.54 Part e) states that development proposals that are likely to raise unacceptable noise levels will not be supported. The policy supports the agent of change principle, whereby the onus is upon developers of new noise sensitive properties to deal with problematic noise, rather than curtail existing sources of noise. A noise impact assessment may be required where the nature of the proposal or its location suggest that significant noise effects are likely.
- 7.55 The proposal for the change of use for the vacant tram shed would introduce a noise source to the area. There are a number of potential noise sources associated with the development, including ventilation and extraction associated with the proposed café, workshop area and plant room. The applicant has suggested that only sandwiches and cold foods would be prepared and therefore a large-scale ventilation system would not be required. Further details of the food to be prepared and equipment to be used are required. It is proposed that these matters be controlled through a planning condition.

- 7.56 Opening hours are proposed as 10.00am to 5.00pm, 7 days a week. Staff would have access to the building from 8.00am, and there is the potential for occasional evening events (approximately 10 per year) with limited attendees, running to no later than midnight.
- 7.57 The applicant has advised that a major aim is to integrate community facilities into the scheme. Proposed plans include the provision of a dedicated educational/community space supporting interactive learning, and meeting rooms for use by community and business groups. Together with the café space it is hoped that the facilities will create a community hub. External events space is also proposed for use by the museum and community groups, for exhibitions and similar events.
- 7.58 A Noise Impact Assessment (NIA) is required to assess the level of noise from plant and equipment, vehicle/exhibit maintenance, traffic movements on site and external events, and to identify any necessary mitigation measures. The applicant was requested to submit a NIA but has declined to do as the plans for the mechanical and electrical equipment have not been progressed to a point where the noise impacts can be properly assessed. It is therefore recommended that a planning condition is used to secure an NIA and to identify any necessary mitigation measures required prior to the commencement of any works on site.
- 7.59 Conditions are also recommended to restrict opening hours to between 9.00am and 6.00pm Monday to Sunday. As there are residential properties within 21 metres of the boundary of the application site, there is potential for evening use of the building to cause a noise nuisance to those residential properties. As full details of the proposed evening events have not been submitted, it would not be appropriate at this time to allow evening use of the building. The applicant is agreeable to these restricted opening hours and is aware that should they wish to extend operations once the museum is operational, a planning application could be submitted to vary the planning condition controlling the opening hours.
- 7.60 External events have been suggested as exhibitions, pop-up community markets and similar taking place on the open space to the north of the building. It is anticipated that approximately six external events would be held per year, run by the museum and the community, which would end by 10pm. No information has been provided as to the scale or form of these events, or the potential noise impacts. In order to protect the amenity of neighbouring residential properties it is proposed to use a planning condition to prevent the external areas to the museum building, including the forecourt from being used for external events. Should the museum wish to host external events then a planning application could be submitted to vary or remove the planning condition.
- 7.61 Without further details it is also difficult to assess the impact of the workshop and if any mitigation is required in terms of insulation for the plant and equipment. The NIA requested should identify any further mitigation required regarding the workshop, and it is recommended that hours of operation for vehicle maintenance are restricted to those between 9.00am and 6.00pm Monday to Friday only. It is also recommended that delivery times are restricted to hours between 9.00am and 6.00pm, Monday to Saturday.
- 7.62 Further conditions are proposed which would ensure that any noise from plant and equipment including any ground or air source heat pumps and any music is at a level that would not result in unacceptable noise levels at any residential property.
- 7.63 **With the addition of planning conditions, the application would be in accordance with Policy 23 of National Planning Framework 4.**
- 7.64 **Policy 25: Community Wealth Building** - seeks to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at all levels. This will stimulate local economic development that focuses

on community and place benefits and supports community ownership and management of land and buildings.

- 7.65 Part b) states that development proposals linked to community ownership and management of land will be supported.
- 7.66 The proposed development includes flexible meeting space within the museum for community and business use, a café which is intended as a community hub, and the potential creation of external event space for use by the wider community.
- 7.67 **The application is in accordance with Policy 25 of National Planning Framework 4.**
- 7.68 **Policy 27: City, Town, Local and Commercial Centres** - encourages, promotes and facilitates development in our city and town centres, by applying a town Centre First Approach to create vibrant centres, directing development to the most accessible and sustainable locations.
- 7.69 Part b) requires development proposals to be consistent with the Town Centre First approach, proposals for uses which generate significant footfall will not be supported outside these centres unless a Town Centre First assessment demonstrates that all centre and edge of centre options have been sequentially dismissed, the scale of the development cannot be accommodated in a centre, and where it is considered that there would be no adverse impacts on the vitality and viability of existing centres.
- 7.70 The applicant has stated that there is no site of sufficient size, with a minimum of 1,000 square metres of exhibition space, located within the city centre. Alternative sites were investigated, including West Ward Works, an industrial site on the Kingsway, and a large warehouse at Claverhouse. However, no other site offered the same accessibility or security of tenure. Whilst it is recognised that locating the museum within the city centre or a district centre would be of benefit to those areas in terms of increasing footfall, locating the museum in this out of centre location is not considered to draw footfall away from the network of centres or have an adverse impact on the vitality and viability of those centres. As the site is located some 450 metres from the Albert Street District Centre there is potential for some footfall from the museum to benefit businesses and services located within that centre.
- 7.71 **The application is in accordance with Policy 27 of National Planning Framework 4.**
- 7.72 **Policy 30: Tourism** - seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with net zero commitments and inspires visitors, to bring economic, social and cultural benefits.
- 7.73 Part b) requires that proposals for tourism related development takes into account the contribution made to the local economy, compatibility with the surrounding area, impact on communities, opportunities for sustainable travel, accessibility, minimising carbon emissions and providing access to the natural environment.
- 7.74 The proposals would see the redevelopment of a derelict property, with the creation of the associated green space to the north as a community area, promoting visual quality and social interaction. The site would be accessible by public transport and the proposal offers facilities for cyclists and EV charging. The site is capable of accommodating the impact of the increased number of visitors to the area, it has parking and drop off facilities, and unsocial hours of activity would be controlled by condition. The proposals would utilise renewable and low carbon technologies, with ground source heat pumps and PV panels.
- 7.75 **The application is in accordance with Policy 30 of National Planning Framework 4.**

**DUNDEE LOCAL DEVELOPMENT PLAN 2019**

- 7.76 **Policy 1: High Quality Design and Placemaking** - requires all development proposals to follow a design-led approach to sustainable and high quality placemaking. Development should contribute positively to the quality of the surrounding built and natural environment and should be planned with reference to climate change mitigation and adaptation. The design and siting of development should respect the character and amenity of the place, creating a sense of community and identity, and enhancing connectivity, with creative approaches to urban design, landscaping and green infrastructure. New development is required to meet the six qualities of successful place, in accordance with Appendix 1, creating development which would be distinctive, safe and pleasant, easy to move around and beyond, welcoming, adaptable, and resource efficient.
- 7.77 The planning application is for a change of use to create a home for Dundee Museum of Transport. The existing building is of high heritage value and the proposed alterations would restore the former tram depot building. It is considered that the proposed alterations would respect the character and amenity of the place. The current building presents a vacant and derelict site which has a detrimental impact on the quality of the surrounding built environment. The proposal to restore and re-use the building would contribute to the character of the street scene, helping to create a distinctive, pleasant and welcoming place.
- 7.78 **The application is in accordance with Policy 1 of the adopted Dundee Local Development Plan.**
- 7.79 **Policy 2: Public Art Contribution** - requires that all developments within Dundee with construction costs of £1 million or over will be required to allocate at least 1% of construction costs for the inclusion of art projects in a publicly accessible/visible place or places within the development.
- 7.80 No details have been put forward by the applicant as part of the application documents. It is proposed that the public art contribution would be secured by planning condition.
- 7.81 **With the addition of a planning condition, the application is in accordance with Policy 2 of the adopted Dundee Local Development Plan.**
- 7.82 **Policy 7: Tourism and Leisure Developments** - requires under part a) that proposals for visitor attractions capable of strengthening the appeal and attraction of Dundee to a wide range of visitors will be supported. Proposals should complement existing visitor facilities and be located in the City Centre unless activity-specific issues indicate that this is impractical.
- 7.83 The applicant has advised that the museum has outgrown its present site at Market Mews on the edge of the city centre. The applicant has provided details of why this site has been selected, namely that no other site could offer the required security of tenure, affordable rent, sufficient space or easily accessible location that the museum requires and that no site of sufficient size, with at least 1,000 square metres of exhibition space and one acre of external space could be located in the city centre. The particular history of the building is also relevant in terms of the nature of the museum.
- 7.84 The relocation to this larger building will potentially improve the displays and exhibitions within the museum and will provide some longer term certainty to the organisation and its supporters. It is agreed that the proposed museum is a visitor attraction that is capable of strengthening the appeal and attraction of Dundee to a wide range of visitors.
- 7.85 As discussed under NPF4 Policy 27, whilst it is recognised that locating the museum within the city centre would be of benefit to that area in terms of increasing footfall and that locating



visitor attractions close to each other can complement existing visitor facilities, the applicant has demonstrated that there are activity-specific issues that indicate that locating within the city centre is impractical and that this presents the best long term solution for the museum.

7.86 **The application is in accordance with Policy 7 of the adopted Dundee Local Development Plan.**

7.87 **Policy 21: Town Centre First Principle** - requires that all new or expanded uses that would generate significant footfall should be located in the City Centre or a District Centre. Proposals for such uses in other locations would only be acceptable where it can be established that:

- 1 no suitable site is available, in the first instance, in the City Centre or District Centres, then edge of town centre, then identified Commercial Centres, and then out-of-centre locations that are easily accessible by a choice of transport modes;
- 2 the proposal would not have a significant adverse effect on the vitality or viability of the City Centre, District Centres, or Commercial Centres, either individually or cumulatively; and
- 3 the proposal would address a deficiency in provision which cannot be met within or on the edge of these centres.

7.88 As discussed under NPF4 Policy 27, the museum presents a footfall generating development. However, there is no site available within the city centre, edge of centre or district centres which would be of the appropriate size to house the transport collection, which has now outgrown the Market Mews site. The retention of the museum within the city is desirable and the Maryfield Tram Depot presents a suitable and accessible location.

7.89 **The application is in accordance with Policy 21 of the adopted Dundee Local Development Plan.**

7.90 **Policy 34: Protected Species** - states the development proposals which are likely to have a significant effect on European protected species will not be supported unless there is no satisfactory alternative, and the development is required for reason of overriding public interest. Development proposals which would have an adverse effect on species protected by the Wildlife and Countryside Act 1981 (as amended) will not be supported unless there is no other satisfactory solution and the development is in the interests of public health.

7.91 A bat, habitat and tree survey have all been undertaken, which recommend mitigation measures. These include avoiding tree works during the bird breeding season, protecting the fox earth and avoiding habitat removal works between March and June. All sites with bat potential should be re-inspected and Nature Scot should be contacted if roosting bats are found. A planning condition is proposed to ensure that the mitigation measures recommended within the bat and habitat survey reports are implemented.

7.92 **With the addition of a planning condition, the application is in accordance with Policy 34 of the adopted Dundee Local Development Plan.**

7.93 **Policy 35: Trees and Urban Woodland** - requires that new development must ensure the survival of existing healthy mature trees through sensitive site layout both during and after construction, unless removal has been agreed in advance by the council. Where appropriate, development proposals must be accompanied by a tree planting and landscape scheme.

- 7.94 A tree survey has been submitted with the application documents which details six trees to be removed from the site. Four trees are to be crown lifted and tree protection measures are proposed for the remaining trees. Compensatory planting is proposed as 10 trees on site.
- 7.95 A planning condition is recommended to ensure that the tree protection measures are implemented as per the tree protection plan submitted with the application documents.
- 7.96 **With the addition of a planning condition, the application is in accordance with Policy 35 of the adopted Dundee Local Development Plan.**
- 7.97 **Policy 37: Sustainable Drainage Systems** - requires that surface water discharging to the water environment from new development must be treated by a Sustainable Drainage System (SUDS), designed so that water levels remain 600mm below finished floor levels during a 1:200 year rainstorm event with allowance for climate change and future urban expansion. Proposals are encouraged to adopt an ecological approach.
- 7.98 The planning application proposes to connect to the public drainage and water supply networks. A proposed drainage layout has been submitted with the application documents. Planning conditions are proposed to secure acceptable SUDS design and SUDS maintenance.
- 7.99 **With the addition of planning conditions, the application is in accordance with Policy 37 of the adopted Dundee Local Development Plan.**
- 7.100 **Policy 39: Environmental Protection** - requires that all new development that would generate noise, vibration or light pollution is required to demonstrate that it can be accommodated without an unsatisfactory level of disturbance to the surrounding area. New development in close proximity to existing sources of noise, vibration or light pollution will need to demonstrate that it can achieve a satisfactory level of amenity without impacting on the viability of existing businesses or uses.
- 7.101 As discussed earlier in this report under NPF4 Policy 23, appropriate planning conditions are recommended to ensure that the development does not create an unacceptable noise disturbance to the surrounding area.
- 7.102 The application proposes lighting the car park associated with the development with LED lights on five metre high poles. It is recommended that lighting levels are restricted and hours of operation are controlled to ensure that there is no adverse impact to neighbouring residential properties in terms of light spillage.
- 7.103 Cooking methods are proposed to be restricted for the café and therefore no additional specific ventilation and extraction equipment is required. A planning condition is recommended to ensure that the food equipment installed is restricted so that there would be no odour issues from the premises. Similarly, further details are required in relation to the workshop activities, as spray painting or similar activities may also cause potential odours without mitigation.
- 7.104 **With the addition of planning conditions, the application is in accordance with Policy 39 of the adopted Dundee Local Development Plan.**
- 7.105 **Policy 41: Land Contamination** - states that the development of potentially contaminated or statutorily identified contaminated land will be considered where a site investigation has been submitted and establishes the nature and extent of the contamination, and where the Council is satisfied that proposed remediation would adequately address contamination risks to all receptors, and be suitable for the planned use. Proposals for an alternative use to that identified in the Local Development Plan will be considered where the above criteria are

satisfied, and it is established that the site cannot be economically developed for the allocated use, and the proposed use would meet the requirements of other relevant Local Development Plan policies.

- 7.106 Further risk assessment is required for the application site. A phase I desk study was submitted with the application documents. Appropriate planning conditions are recommended.
- 7.107 **With the addition of planning conditions, the application is in accordance with Policy 41 of the adopted Dundee Local Development Plan.**
- 7.108 **Policy 49: Listed Buildings** - parts a) and b) of Policy 49 are of relevance to this application as they relate to alternative uses and alterations to listed buildings. The policy states that suitable alternative uses will be considered for listed buildings where this is necessary to secure their future; any adaptation of the fabric must be undertaken sensitively and have minimum impact on the architectural, and historic interest, character and setting of the building. Alterations to a listed building will only be acceptable where the proposals have regard to the preservation or enhancement of the building or its setting or any features of special architectural or historic interest which it possesses. Alterations will not be permitted where the works would diminish the architectural integrity of the building or its historic interest.
- 7.109 The planning application is for the renovation of an former tram depot building which is currently in a state of disrepair. The tram depot is category B listed and is also on the Buildings at Risk Register.
- 7.110 A Conservation Management Plan has been included with the application documents, which details all aspects of the development in historic restoration terms. The proposals include raising part of the roof to the rear of the building, to create a potential mezzanine floor, and new access points to allow daylight into the centre of the building. The original brickwork would be retained and repaired, and the front double gable would be restored. Environmental improvements are proposed to the forecourt. Historic Environment Scotland are supportive of the proposals.
- 7.111 **The application is in accordance with Policy 49 of the adopted Dundee Local Development Plan.**
- 7.112 **Policy 51: Development in Conservation Areas** - requires that all development proposals preserve or enhance the character of the surrounding area and retain all features that contribute to the character and appearance of the conservation area.
- 7.113 The application site is located within the Maryfield Conservation Area and relates to a vacant former tram depot building. The application seeks to restore the listed building with appropriate materials, maintaining the original features. The proposal would improve the outlook for the neighbouring residential properties and the wider area and there would be no detrimental impact on the appearance of the property or the character and setting of the surrounding Maryfield Conservation Area.
- 7.114 **The proposal is in accordance with Policy 51 of the adopted Dundee Local Development Plan.**
- 7.115 **Policy 54: Safe and Sustainable Transport** - seeks that all development proposals which generate travel should be designed and well served by all modes of transport, and will be required to:
- 1 minimise the need to travel by private car;

- 2 provide on-site facilities and links for walking and cycling;
- 3 have access to public transport networks within 400 metres;
- 4 have no detrimental impact on the existing road or rail network;
- 5 ensure safe provision for freight and waste access and loading;
- 6 comply with national and Dundee City Council's road design standards; and
- 7 be supported by a travel plan where significant travel would be generated.

7.116 The application site would be accessed from Forfar Road. A Transport Statement has been submitted and the findings accepted. The site is located on a public bus route, would have a coach drop off point and cycle storage facilities, and there would be no detrimental impact to the existing road network. Planning conditions are recommended to ensure road design standards are met and a Travel Plan is submitted within one year of opening.

7.117 With the addition of planning conditions, the application is in accordance with Policy 54 of the adopted Dundee Local Development Plan.

7.118 **Policy 56: Parking** - requires that outside the City Centre all new developments shall be required to comply with Dundee City Council's adopted guidance on road standards and national standards. All new developments should include cycle parking facilities in accordance with adopted guidance. All parking facilities at commercial developments should include the provision of charging stations for electric vehicles.

7.119 A total of 66 car parking spaces would be provided, including 3 disabled access spaces and 2 EV charging spaces. Details for cycle parking have been provided. Further details for covered secure cycle spaces would be secured by condition.

7.120 With the addition of planning conditions, the application is in accordance with policy 56 of the adopted Dundee Local Development Plan.

7.121 **It is concluded that the proposal is in accordance with the Development Plan.**

## STATUTORY DUTIES

7.122 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that special regard is given to the desirability of preserving listed buildings or their setting or any features of special architectural interest which they possess when determining applications for planning permission. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

7.123 For the reasons set out above it is considered that the proposed works comply with national planning guidance with regard to development affecting a Listed Building and Conservation Area.

7.124 The statutory duty set out in Sections 59 and 64 of the Act would therefore be discharged through the approval of planning permission.

## MATERIAL CONSIDERATIONS

7.125 The material considerations to be taken into account are as follows:

#### **A - NATIONAL POLICY AND GUIDANCE**

7.126 Historic Environment Policy for Scotland (2019) should be taken into account when determining applications for development which may affect the historic environment. The Historic Environment Policy for Scotland sets out principles and policies for the recognition, care and sustainable management of the historic environment. It seeks to influence decision making that will be sufficiently flexible and adaptable to deal with wide-ranging and ongoing changes to society and the environment, and to achieve the best possible outcome for the historic environment, maximising its benefits.

7.127 It is concluded for the reasons set out above that the proposed works would comply with national guidance concerned with the historic environment, including the policies of the Historic Environment Policy Scotland.

#### **B – REPRESENTATIONS**

7.128 In total 8 letters have been received which have objected to the proposal. The objections raised the following valid material grounds:

7.129 **Objection** – hours of operation and potential detrimental impact on neighbours' amenity.

7.130 **Response** – should planning permission be granted it is recommended that planning conditions restrict the opening hours and workshop hours. This together with the requirement to prepare a noise impact assessment and to implement noise mitigation measures and a limit on noise will ensure that the use does not have a detrimental impact on residential amenity.

7.131 **Objection** – impact on/loss of trees, and ecological/biodiversity of the site.

7.132 **Response** – an amended tree survey has been submitted which identifies trees to be felled and re-planting, plus tree protection measures. It is advised that any tree works should be undertaken outside the bird breeding season. A bat survey and habitat survey have both been undertaken, which recommend measures to preserve the biodiversity of the site. Planning conditions are recommended to require these measures to be implemented.

7.133 **Objection** – lack of boundary treatment details or landscape plans for open space to the north of the tram depot building.

7.134 **Response** – a planning condition is proposed in order to seek further landscaping details, including full details of the boundary treatments.

7.135 **Objection** – unclear plans for proposed community use within the open space to the north of the tram depot building.

7.136 **Response** – as noted earlier in this report, only limited details of external events have been provided. It is recognised that there is potential for the use of external areas for events to cause noise nuisance and it is recommended that a planning condition is used to prevent events from taking place on external areas including this open space.

7.137 **Objection** – increased traffic, parking and congestion, pollution.

7.138 **Response** – a transport statement has been submitted with the application documents and the findings accepted. An appropriate level of car and cycle parking is proposed. Planning

conditions are proposed to secure the submission of a travel plan within a year of the development opening.

7.139 **Objection** – privacy/overlooking.

7.140 **Response** – it is not considered that there would be any potential overlooking arising from the change of use.

7.141 **Objection** – adverse impact on listed building, proposed materials.

7.142 **Response** – the proposals illustrate a scheme which is welcomed by Historic Environment Scotland in terms of both design and materials. A separate application for listed building consent has been submitted.

7.143 **Objection** – incorrect site boundary.

7.144 **Response** – this is a private legal matter.

7.145 **Objection** – reduction in house value.

7.146 **Response** – this is not a material planning consideration.

7.147 The issues raised in the representations have been considered and addressed in the report and the grounds raised are not of sufficient weight to justify refusal of planning permission.

7.148 **There are no other material considerations of relevance in this case.**

---

## 8 CONCLUSION

---

8.1 The application for the change of use and conversion of the former Maryfield Tram Depot into a transport museum is in full accordance with the Development Plan. There are no material considerations of sufficient weight that would justify refusal of planning permission. It is therefore recommended that planning permission be granted.

---

## 9 RECOMMENDATION

---

9.1 It is recommended that planning permission be GRANTED subject to the following conditions:

1 **Condition** – the development hereby permitted shall commence within three years from the date of this permission.

**Reason** – to comply with Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

2 **Condition** - prior to the commencement of work on site, details of a scheme of public art to be provided within the development hereby approved shall be submitted to the Council for written approval. Thereafter, the approved scheme of public art shall be installed prior to the completion of the development hereby approved.

**Reason** - in the interests of enhancing the visual amenity and environmental quality of the development.

- 3 **Condition** – the ecological mitigation measures as identified in the bat and habitat survey reports which form part of this planning application as documents 24 – BAT SURVEY REPORT, and 25 – HABITAT SURVEY REPORT shall be implemented prior to the commencement of any works on site.

**Reason** - to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenity and ecological preservation of the area.

- 4 **Condition** – tree protection measures as detailed in the Tree Protection plan which forms part of this planning application as document 23-TREE SURVEY REPORT shall be implemented prior to the commencement of any works on site. Tree felling shall be undertaken as per BS3998: 2012.

**Reason** - to ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenity and ecological preservation of the area.

- 5 **Condition** – development shall not begin until the investigation and risk assessment proposed in the submitted Stage I Desk Study are completed and, if necessary; a remediation scheme to deal with any contamination at the site has been submitted to and approved in writing by the planning authority. The scheme shall contain proposals to deal with contamination to include:

- i the nature, extent and type(s) of contamination on the site;
- ii measures to treat/remove contamination to ensure the site is fit for the use proposed and does not contain any significant pollution linkages;
- iii measures to deal with contamination during construction works; and
- iv verification of the condition of the site on completion of decontamination measures.

**Reason** – to ensure that the site will be suitable for the new use.

- 6 **Condition** – before any aspect of the development is occupied, the remediation scheme shall be fully implemented and a verification report with relevant documentation demonstrating that the objectives of the remediation strategy have been achieved shall be submitted to and approved by the planning authority.

**Reason** - to ensure that the site will be suitable for the new use.

- 7 **Condition** – prior to the commencement of any works on site details of the proposed site access including proposed road markings must be agreed and the access must be formed and constructed to Dundee City Council standards and specifications.

**Reason** - in the interests of vehicle and pedestrian safety.

- 8 **Condition** – prior to the commencement of any works on site, details of the proposed bus layby, including proposed road markings, must be agreed and thereafter the access must be formed and constructed to Dundee City Council standards and specifications.

**Reason** - in the interests of vehicle and pedestrian safety.

- 9 **Condition** – a Travel Plan must be in place and agreed with the Local Authority within one year of the development opening.

**Reason** - in the interests of promoting sustainable transport.

- 10 **Condition** – the electric vehicle charging points shown on drawing PL-202 shall be installed and available for use prior to the first opening of the museum.

**Reason** - in the interests of sustainable travel measures.

- 11 **Condition** – prior to the commencement of any works on site, details of secure and covered cycle parking for staff shall be submitted for approval in writing by this Planning Authority and thereafter provided in accordance with those approved details prior to first opening of the museum. Cycle parking for visitors shall be provided in accordance with the details shown on drawing PL-202 prior to the first opening of the museum.

**Reason** - in the interests of sustainable travel measures.

- 12 **Condition** – the hard surface within the site shall be made of porous materials or provision shall be made to direct run off water from the hard surface to a permeable or porous area or surface within the curtilage of the site.

**Reason** - to ensure that surface water from within the curtilage of the site does not drain to the adjacent adopted road.

- 13 **Condition** - prior to the commencement of any works on site, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earth mounding, shall be developed and submitted for approval in writing by this Planning Authority. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner.

**Reason** - in the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

- 14 **Condition** – prior to the commencement of any works on site, a detailed surface water drainage/SUDS design including drawings, calculations, full modelling, simulation results, design risk assessment, signed Dundee City Council Design Compliance and Independent Check Certification, evidence of compliance with the Simple Index Approach as described in section 26.7.1 of the CIRIA SUDS Manual (C753), and where appropriate SEPA comments shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out prior to the first occupation of the development hereby approved.

**Reason** - in the interests of flood protection.

**Condition** – prior to the commencement of any works on site, maintenance responsibilities along with a maintenance schedule for the surface water drainage system/SUDS features shall be submitted to the Council for written approval. Thereafter, all works approved by virtue of this condition shall be carried out in perpetuity.

**Reason** - in the interests of flood prevention.

- 15 **Condition** – prior to the commencement of any works on site, a Noise Impact Assessment shall be undertaken to establish any mitigation measures required to protect the amenity of the surrounding residential properties. Prior to undertaking a Noise Impact assessment, agreement must be obtained from the Planning Authority regarding:



- v the noise sources to be assessed;
- vi the noise standards and methodology for the measurement and assessment of noise; and
- vii the noise criteria levels to be achieved.

Thereafter, and prior to the first operation of the museum hereby approved, any noise mitigation measures recommended by the Noise Impact Assessment shall be implemented in full.

**Reason** – in the interests of residential amenity.

- 16 **Condition** – the museum hereby approved shall only open between 0900 hours and 1800 hours Monday to Sunday.

**Reason** – in the interests of residential amenity.

- 17 **Condition** – prior to the first use of the building, further details of the likely vehicle maintenance operations shall be submitted to and agreed in writing with Dundee City Council. Should any mitigation measures be required in order to reduce the impact on the amenity of the surrounding area then these shall be agreed in writing with the council and fully implemented prior to any vehicle maintenance operations taking place. All vehicle maintenance operations must take place within the dedicated workshop area only and between 0900 hours and 1800 hours Monday to Friday only.

**Reason** – in the interests of residential amenity.

- 18 **Condition** – events are not permitted to take place in any of the areas external to the museum building.

**Reason** - in the interests of residential amenity.

- 19 **Condition** – the total noise from mechanical and electrical plant/services shall not exceed NR45 during the day and shall not exceed NR35 during night-time, as measured 1 metre external to the facade of adjacent residential property. For the avoidance of doubt nighttime shall be 2300 to 0700 hours.

**Reason** - in the interests of residential amenity.

- 20 **Condition** – the noise from ground source heat pumps/air source heat pumps shall not exceed NR35, as measured 1 metre external to the facade of adjacent residential property.

**Reason** - in the interests of residential amenity.

- 21 **Condition** – all servicing and deliveries, including loading, unloading or lay-up shall be between 0900 to 1800 hours Monday to Saturday only.

**Reason** – in the interests of residential amenity.

- 22 **Condition** – music shall be so controlled as to be inaudible within any adjacent residential property.

**Reason** - in the interests of residential amenity.

23 **Condition** – the floodlighting hereby approved may be operational 0900 hours to 1800 hours Monday to Sunday. Furthermore, the light spill at any residential window, from the lighting/floodlighting system, shall be no greater than:

- a 5 lux, between 0700 and 2300 hours; and
- b 1 lux between 2300 and 0700 hours.

**Reason** – in the interests of residential amenity.

24 **Condition** – no cooking/reheating shall be carried out on the premises other than by use of a microwave and with the exception of tray bakes and pastries and the preparation of sandwiches, filled rolls, toasties and paninis unless otherwise agreed in writing with Dundee City Council as Planning Authority. For the avoidance of doubt, the cooking and reheating equipment in use/installed will not comprise of griddles, hot plates, hobs, ovens, frying pans or deep fat fryers.

**Reason** – in the interests of residential amenity.

#### Informatives

- 1 Any clearance of vegetation should be carried out outside the bird breeding season.
- 2 A Minor Footway Works (MW) application (found via the following link on DCC website: <http://www.dundee.gov.uk/citydevelopment/vehicularaccess>) must be submitted to Dundee City Council as Roads Authority for work on the adjacent public road or footway and consent for this must be obtained prior to the commencement of any work on the public road or footway. For further details please contact 01382 433341 or [developmentroads@dundee.gov.uk](mailto:developmentroads@dundee.gov.uk).